

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 6/9/2021

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	
	:	
-against-	:	19-CR-862 (VEC)
	:	
	:	<u>ORDER</u>
JUAN HERNANDEZ,	:	
	:	
Defendant.	:	
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VALERIE CAPRONI, United States District Judge:

WHEREAS on June 9, 2021, the parties appeared for a change-of-plea proceeding in this matter;

WHEREAS Mr. Hernandez reported to the Court that he was suicidal and reported that he believed the medication he is receiving for depression and anxiety is not working; and

WHEREAS the Court adjourned the proceeding to allow Mr. Hernandez to address his mental health issues;


IT IS HEREBY ORDERED that Mr. Hernandez must be promptly seen by a psychiatrist at the Metropolitan Detention Center ("MDC"). The Government must ensure that this order is provided to the appropriate official at MDC no later than close of business **today, June 9, 2021**. By no later than **Wednesday, June 16, 2021**, the Government must obtain a report from MDC describing his current mental health condition and must file it under seal with the Court.

IT IS FURTHER ORDERED that Mr. Hernandez's change-of-plea proceeding is adjourned *sine die*. By no later than **Friday, June 18, 2021**, Defense counsel must update the Court on Mr. Hernandez's condition and whether he would like to re-schedule his change-of-plea proceeding.

IT IS FURTHER ORDERED that given the need for a psychiatric evaluation of Mr. Hernandez, time is excluded under the Speedy Trial Act through June 18, 2021. *See* 18 U.S.C. § 3161(h)(1)(A). Furthermore, given the complexities and delays associated with meeting with counsel and negotiating potential dispositions during the COVID-19 pandemic, the Court finds that the ends of justice in accommodating those delays outweigh Mr. Hernandez's and the public's interests in a speedy trial, and that exclusion of time between now and June 18, 2021 is warranted pursuant to 18 U.S.C. § 3161(h)(7).

SO ORDERED.

Dated: June 9, 2021
New York, NY



VALERIE CAPRONI
United States District Judge

